

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

_____)	
In re:)	Case No. 12-12020 (MG)
)	
RESIDENTIAL CAPITAL, LLC, <u>et al.</u> ,)	Chapter 11
)	
Debtors.)	Jointly Administered
_____)	

**ORDER GRANTING DEBTORS' FIFTH OMNIBUS OBJECTION TO CLAIMS
(LATE-FILED BORROWER CLAIMS)**

Upon the Fifth omnibus claims objection, dated June 7, 2013 (the "Fifth Omnibus Claims Objection"),¹ of Residential Capital, LLC and its affiliated debtors in the above-referenced Chapter 11 Cases, as debtors and debtors in possession (collectively, the "Debtors"), seeking entry of an order, pursuant to section 502(b) of title 11 of the United States Code (the "Bankruptcy Code"), Rule 3007(d) of the Federal Rules of Bankruptcy Procedure, and this Court's order approving procedures for the filing of omnibus objections to proofs of claim [Docket No. 3294] (the "Procedures Order"), disallowing and expunging the Late-Filed Borrower Claims on the basis that they were filed after the applicable Bar Date, all as more fully described in the Fifth Omnibus Claims Objection; and it appearing that this Court has jurisdiction to consider the Fifth Omnibus Claims Objection pursuant to 28 U.S.C. §§ 157 and 1334; and consideration of the Fifth Omnibus Claims Objection and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Fifth Omnibus Claims Objection having been provided, and it appearing that no other or further notice need be

¹ Capitalized terms used herein and not otherwise defined herein shall have the meanings ascribed to such terms in the Debtors' Fifth Omnibus Claims Objection.

provided; and upon consideration of the Fifth Omnibus Claims Objection and the Declaration of Deanna Horst in Support of the Debtors' Fifth Omnibus Objection to Claims (Late-Filed Borrower Claims), annexed to the Fifth Omnibus Claims Objection as Exhibit 1; and the Court having found and determined that the relief sought in the Fifth Omnibus Claims Objection is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Fifth Omnibus Claims Objection establish just cause for the relief granted herein; and the Court having determined that the Fifth Omnibus Claims Objection complies with the Borrower Claim Procedures set forth in the Procedures Order; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Fifth Omnibus Claims Objection is granted to the extent provided herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the claims listed on Exhibit A annexed hereto (collectively, the "Late-Filed Borrower Claims") are hereby disallowed and expunged in their entirety with prejudice; and it is further

ORDERED that Kurtzman Carson Consultants LLC, the Debtors' claims and noticing agent, is directed to disallow and expunge the Late-Filed Borrower Claims identified on the schedule attached as Exhibit A hereto so that such claims are no longer maintained on the Debtors' official claims register; and it is further

ORDERED that the following matters relating to the Late-Filed Borrower Claims shall be adjourned to the omnibus hearing scheduled for July 26, 2013:

- Tracey J. Marshall (Claim No. 5726);
- Norma G. Green (Claim No. 6282); and
- Todd Phelps (Claim No. 6315); and it is further

ORDERED that the Debtors are authorized and empowered to take all actions as may be necessary and appropriate to implement the terms of this Order; and it is further

ORDERED that notice of the Fifth Omnibus Claims Objection as provided therein shall be deemed good and sufficient notice of such objection, and the requirements of Bankruptcy Rule 3007(a), the Case Management Procedures entered on May 23, 2012 [Docket No. 141], the Procedures Order, and the Local Bankruptcy Rules of this Court are satisfied by such notice; and it is further

ORDERED that this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of any claim not listed on Exhibit A annexed to this Order, and all rights to object on any basis are expressly reserved with respect to any such claim that is not listed on Exhibit A annexed hereto; and it is further

ORDERED that this Order shall be a final order with respect to each of the Late-Filed Borrower Claims identified on Exhibit A, annexed hereto, as if each such Late-Filed Borrower Claim had been individually objected to; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: July 15, 2013
New York, New York

/s/Martin Glenn
MARTIN GLENN
United States Bankruptcy Judge

Exhibit A

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

FIFTH OMNIBUS OBJECTION - LATE FILED CLAIMS (BORROWER CLAIMS)

	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
1	Reinaldo S Camilo et al VS MERS Inc GMAC Mortgage LLC et al Seacoast Mortgage Corp Federal National Mortgage Association LAW OFFICES OF GEORGE E BABCOCK 574 CENTRAL AVE PAWTUCKET, RI 02861	5502	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$250,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032
2	Richard A. Roman 4011 Santa Anita El Paso, TX 79902	5865	11/19/2012	\$25,000.00 Administrative Priority \$0.00 Administrative Secured \$175,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
3	Richard J. & Elizabeth M. Lobdell 1500 Shoecraft Rd Penfield, NY 14526	5941	11/27/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority UNLIQUIDATED General Unsecured	Residential Capital, LLC	12-12020
4	Rick Greer 1010 Northwest 4th Avenue Camas, WA 98607	5742	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$148,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	GMAC Mortgage, LLC	12-12032
5	Rick Greer 1010 Northwest 4th Avenue Camas, WA 98607	5744	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$214,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	GMAC Mortgage, LLC	12-12032

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

FIFTH OMNIBUS OBJECTION - LATE FILED CLAIMS (BORROWER CLAIMS)

	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
6	Rick Greer 1010 Northwest 4th Avenue Camas, WA 98607	5745	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$141,450.00 Secured \$0.00 Priority \$0.00 General Unsecured	GMAC Mortgage, LLC	12-12032
7	ROBERT BELPEDIO DEBORAH BELPEDIO 23 DEER RUN COURT EAST BRUNSWICK, NJ 08816	5769	11/19/2012	\$100,000.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
8	Robert M Sauro II vs Mortgage Electronic Registration Systems Inc Mortgage Lenders Network USA Inc Cadlerock Joint et al LAW OFFICES OF GEORGE E BABCOCK 574 CENTRAL AVE PAWTUCKET, RI 02861	5496	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$250,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032
9	Roberto Carlos Munive & Kathleen Munive Rachael Hammer 7700 Leesburg Pike, Suite #312 Falls Church, VA 22043	5868	11/21/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$8,616,000.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
10	Roman and Gail Kochanski Holler Law Firm, LLC 9 Research Drive, Suite 2 Milford, CT 06460	5816	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority UNLIQUIDATED General Unsecured	GMAC Mortgage, LLC	12-12032

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

FIFTH OMNIBUS OBJECTION - LATE FILED CLAIMS (BORROWER CLAIMS)

	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
11	Ronney Charles Schaffer and Karen Lynn Schaffer 17905 Mundare Ave. Artesia, CA 90701-3934	5863	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$187,309.00 Secured \$0.00 Priority \$0.00 General Unsecured	GMAC Mortgage, LLC	12-12032
12	Ronney Charles Schaffer and Karen Lynn Schaffer 17905 Mundare Ave. Artesia, CA 90701-3934	5864	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$45,747.00 Secured \$0.00 Priority \$0.00 General Unsecured	GMAC Mortgage, LLC	12-12032
13	Sean Davis c/o Cynthia L. Carroll, Esquire 262 Chapman Road, Suite 108 Newark, DE 19702	5873	11/21/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority UNLIQUIDATED General Unsecured	Residential Capital, LLC	12-12020
14	Steven and Julie Klopp 5875 E Avon St Inverness, FL 34452	6292	12/03/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$126,000.00 Secured \$0.00 Priority UNLIQUIDATED General Unsecured	Residential Capital, LLC	12-12020
15	Susan Vineyard John Chullen 903 W Washington St Benton, IL 62812	6335	12/10/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$1,000,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032

In re RESIDENTIAL CAPITAL, LLC, et al. (CASE NO. 12-12020 (MG)) (JOINTLY ADMINISTERED)

FIFTH OMNIBUS OBJECTION - LATE FILED CLAIMS (BORROWER CLAIMS)

	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
16	Tabatha C. Gallien 4131 N. 15th St Milwaukee, WI 53209	5756	11/19/2012	\$147,500.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
17	Thais D Lanning aka Thais L Harnett aka Thais L Kelly vs Mortgage Electronic Registration System GMAC Mortgage Corp et al LAW OFFICES OF GEORGE E BABCOCK 574 CENTRAL AVE PAWTUCKET, RI 02861	5462	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$250,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032
18	Thomas E & Frances Courtright 193 West Owassa Turnpike Newton, NJ 07860	5797	11/20/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$94,063.41 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
19	Tiffany Goodloe 2571 Niagara St Denver, CO 80207	5944	11/27/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$34,060.75 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
20	Timothy J Mathewson and Terri A Mathewson v Mortgage Electronic Registration Systems Inc GMAC Mortgage LLC and John et al GEORGE E BABCOCK ESQ 574 CENTRAL AVE PAWTUCKET, RI 02861	5498	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$250,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032

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FIFTH OMNIBUS OBJECTION - LATE FILED CLAIMS (BORROWER CLAIMS)

	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
21	Trevina Bennett The Estate of Jeweline Bennett Account Number xxx4579 3119 Peachtree Lane Missouri City, TX 77459	5371	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$14,613.27 General Unsecured	GMACM Borrower LLC	12-12035
22	Trevina Bennett The Estate of Jeweline Bennett Account Number xxx4579 3119 Peachtree Lane Missouri City, TX 77459	5389	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$14,613.27 General Unsecured	Residential Capital, LLC	12-12020
23	Trevina Bennett The Estate of Jeweline Bennett Account Number xxx4579 3119 Peachtree Lane Missouri City, TX 77459	5392	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$14,613.27 General Unsecured	GMAC Mortgage USA Corporation	12-12031
24	Trevina Bennett The Estate of Jeweline Bennett Account Number xxx4579 3119 Peachtree Lane Missouri City, TX 77459	5398	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$14,613.27 General Unsecured	GMAC Mortgage, LLC	12-12032
25	Trevina Bennett The Estate of Jeweline Bennett Account Number xxx4579 3119 Peachtree Lane Missouri City, TX 77459	5402	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$14,613.27 General Unsecured	GMAC Residential Holding Company, LLC	12-12033

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FIFTH OMNIBUS OBJECTION - LATE FILED CLAIMS (BORROWER CLAIMS)

	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
26	Trevina Bennett The Estate of Jeweline Bennett Account Number xxx4579 3119 Peachtree Lane Missouri City, TX 77459	5405	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$14,613.27 General Unsecured	GMAC RH Settlement Services, LLC	12-12034
27	WACHOVIA BANK NA VS GREGG MICHAEL WEISS MARNI FINKELSTEIN AKA MARNI FINKELSTEIN UNITED STATES OF AMERICA OBO et al LAW OFFICES OF CAMPOS LAZAR and MARTIN PLLC 475 MONTAUK HWY WEST ISLIP, NY 11795	6002	11/26/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$1,135,000.00 General Unsecured	GMAC Mortgage, LLC	12-12032
28	Warren McKenna 843 Chilton Lane Wilmette, IL 60091	5750	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$112,500.00 Secured \$0.00 Priority \$0.00 General Unsecured	Residential Capital, LLC	12-12020
29	William and Desiree Cooper c/o Cynthia L. Carroll, Esquire 262 Chapman Road, Suite 108 Newark, DE 19702	5871	11/21/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority UNLIQUIDATED General Unsecured	Residential Capital, LLC	12-12020
30	William Edward Kimbrough IV & Catherine P. Kimbrough 35533 Yellowstone Street Winchester, CA 92596	5771	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$305,000.00 General Unsecured	Residential Capital, LLC	12-12020

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FIFTH OMNIBUS OBJECTION - LATE FILED CLAIMS (BORROWER CLAIMS)

	Name of Claimant	Claim Number	Date Filed	Claim Amount	Asserted Debtor Name	Asserted Case Number
31	Yohannah D. Baptiste and Riderick G. Baptiste 153 W. Silver Maple Drive Slidell, LA 70458	5792	11/19/2012	\$0.00 Administrative Priority \$0.00 Administrative Secured \$0.00 Secured \$0.00 Priority \$134,453.36 General Unsecured	Residential Capital, LLC	12-12020